

AMENDED IN ASSEMBLY MARCH 25, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1845

Introduced by Assembly Member Gilmore

February 12, 2010

An act to ~~amend Section 21462 of~~ *add Sections 4019.5 and 2114.6* to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1845, as amended, Gilmore. Vehicles: ~~official traffic signals.~~
golf carts: operation on highways: senior citizens.

Existing law authorizes a local authority to permit, by ordinance or resolution, the operation of golf carts on a highway under certain circumstances.

This bill would authorize a local authority, by ordinance or resolution, to permit a senior citizen to operate a golf cart on streets and highways under its jurisdiction that are designated under an ordinance or resolution.

The bill would require the ordinance or resolution to include, among other things, a designation of the highways on which a golf cart may be operated, a requirement that a person desiring to operate a golf cart as authorized apply to the local authority for a permit to operate the golf cart and an identification sticker for the golf cart, and a provision prohibiting the operation of a golf cart as authorized unless the permit has been issued and the sticker is affixed to the golf cart.

The bill would prohibit the local authority from authorizing the operation of a golf cart on a highway with a speed limit of more than 25 miles per hour. The bill would also prohibit the local authority from authorizing the crossing of a highway with a speed limit of more than

25 miles per hour, or the crossing of a state highway, by a golf cart, unless that crossing is authorized by the agency having primary traffic enforcement authority over the highway.

The bill would specify that a driver's license is not required to operate a golf cart as authorized under the ordinance or resolution and would also specify that a golf cart operated as authorized under the ordinance or resolution is not required to comply with certain motor vehicle equipment requirements.

The bill would make it an infraction to operate a golf cart in violation of these provisions or of an ordinance or resolution adopted as authorized. By creating a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law generally requires the driver of a vehicle, the person in charge of an animal, a pedestrian, and the motorman of a streetcar to obey the instructions of any official traffic signal applicable to him and placed as provided by law, unless otherwise directed by a police or traffic officer or when it is necessary to avoid a collision or in the case of other emergency.~~

~~This bill would make technical, nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The driving population of the state is aging. A driver's ability
- 4 to operate an automobile on the state's increasingly congested
- 5 and complex highways may become impaired with advanced age.
- 6 (b) The state has severe highway congestion problems and
- 7 pollution concerns that can be attributed to vehicular traffic.
- 8 Finding methods that reduce these concerns is of paramount
- 9 importance.

1 (c) *The nation is experiencing a shortage of fossil fuels due*
2 *mainly to increased use of the automobile.*

3 (d) *Authorizing local authorities to establish routes where golf*
4 *carts can be used by seniors would contribute to the reduction of*
5 *these problems, in addition to offering a low-cost and safe means*
6 *for seniors to accomplish necessary daily activities.*

7 SEC. 2. *Section 4019.5 is added to the Vehicle Code, to read:*

8 4019.5. *A golf cart described in subdivision (a) of Section*
9 *21114.6 that is not operated upon a highway except as authorized*
10 *under an ordinance or resolution adopted pursuant to Section*
11 *21114.6 is exempt from registration.*

12 SEC. 3. *Section 21114.6 is added to the Vehicle Code, to read:*

13 21114.6. (a) *A local authority, by ordinance or resolution,*
14 *may authorize a senior citizen, as described in Section 13000, to*
15 *operate a golf cart on streets and highways under its jurisdiction*
16 *that are designated under the ordinance or resolution.*

17 (b) *The ordinance or resolution shall include all of the*
18 *following:*

19 (1) *A designation of the highways on which a golf cart described*
20 *in subdivision (a) may be operated.*

21 (2) *A requirement that a person desiring to operate a golf cart*
22 *authorized pursuant to subdivision (a) apply to the local authority*
23 *for a permit to operate the golf cart and an identification sticker*
24 *for the golf cart, and a provision prohibiting the operation of the*
25 *golf cart as authorized unless the permit has been issued and the*
26 *sticker is affixed to the golf cart.*

27 (3) *A provision prohibiting the operation of a golf cart during*
28 *the hours of darkness unless the golf cart is equipped with the*
29 *lights and reflectors described in subdivision (d) of Section 21201,*
30 *as applicable to the golf cart.*

31 (4) *A requirement that a person operating a golf cart comply*
32 *with all traffic laws and regulations applicable to the operation*
33 *of vehicles on the highway.*

34 (c) *The local authority shall not authorize the operation of a*
35 *golf cart described in subdivision (a) on a highway with a speed*
36 *limit of more than 25 miles per hour.*

37 (d) *The local authority shall not authorize the crossing of a*
38 *highway with a speed limit of more than 25 miles per hour, or the*
39 *crossing of a state highway, by a golf cart described in subdivision*

1 (a), unless that crossing is authorized by the agency having primary
2 traffic enforcement authority over the highway.

3 (e) A driver's license is not required to operate a golf cart as
4 authorized pursuant to an ordinance or resolution adopted under
5 this section.

6 (f) A golf cart operated as authorized pursuant to an ordinance
7 or resolution adopted under this section is not required to comply
8 with the equipment requirements of Division 12 (commencing with
9 Section 24000).

10 (g) Operation of a golf cart described in subdivision (a) in
11 violation of this section or of an ordinance or resolution adopted
12 under this section is an infraction.

13 SEC. 4. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.

22 SECTION 1. ~~Section 21462 of the Vehicle Code is amended~~
23 ~~to read:~~

24 ~~21462. The driver of a vehicle, the person in charge of an~~
25 ~~animal, a pedestrian, and the motorman of a streetcar shall obey~~
26 ~~the instructions of an official traffic signal that applies to him or~~
27 ~~her and is placed as provided by law, unless otherwise directed by~~
28 ~~a police or traffic officer or when it is necessary for the purpose~~
29 ~~of avoiding a collision or in case of other emergency, subject to~~
30 ~~the exemptions granted by Section 21055.~~